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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 BILL LIETZKE,

12 Plaintiff,

13 v.

14 GREYHOUND LINES, INC.,

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16 Defendant.
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No. 2:18-cv-2734-MCE-KJN PS

ORDER

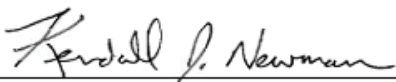
19 Plaintiff Bill Lietzke, proceeding without counsel, commenced the instant action on
20 October 10, 2018. (ECF No. 1.) However, plaintiff's complaint is identical to a complaint
21 plaintiff previously filed against Greyhound Lines, Inc. in this district. See Lietzke v. Greyhound
22 Lines Inc., 2:18-cv-2392-TLN-CKD, ECF No. 1. On October 3, 2018, another judge of this
23 court, after performing a venue analysis, transferred that action to the Northern District of
24 Alabama pursuant to 28 U.S.C. § 1406(a) or, in the alternative, 28 U.S.C. § 1404(a). Id., ECF
25 No. 3. It thus appears that the filing of the instant action is merely an improper attempt to refile
26 that prior action in this district. Therefore, the court likewise transfers this action to the Northern
27 District of Alabama, which may decide, in its discretion, to consolidate the actions or dismiss this
28 later-filed action as duplicative.

1 Plaintiff is hereby CAUTIONED that if he again attempts to refile the same action in this
2 district, monetary sanctions will be imposed.

3 Accordingly, IT IS ORDERED that:

- 4 1. This action is TRANSFERRED to the Southern Division of the United States District
5 Court for the Northern District of Alabama pursuant to 28 U.S.C. § 1406(a) or, in the
6 alternative, 28 U.S.C. § 1404(a).
7 2. The Clerk of Court shall close this case.

8 Dated: November 8, 2018

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10 KENDALL J. NEWMAN
11 UNITED STATES MAGISTRATE JUDGE
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